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COMMISSION ON THE STATUS OF WOMEN
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Agenda item 5

MONITORING THE IMPLEMENTATION OF THE NAIROBI FORWARD-LOOKING STRATEGIES FOR THE ADVANCEMENT OF WOMEN

Argentina*, Bangladesh*, Indonesia and Philippines: draft resolution

Violence against women migrant workers

The Commission on the Status of Women,

Bearing in mind the Charter of the United Nations, which reaffirms faiths in human rights and fundamental freedoms, in the dignity and worth of the human person, and in the equal rights of women and men,

Reaffirming the principles set forth in the Convention on the Elimination of All Forms of Discrimination Against Women, 1/ adopted by the General Assembly on 18 December 1979,

Stressing that the promotion of the human rights of women constitutes an integral part of the human rights activities of the United Nations, as reaffirmed in the Vienna Declaration and Programme of Action 2/ adopted by the World Conference on Human Rights,

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* In accordance with rule 69 of the rules of procedure of the functional commissions of the Economic and Social Council.

1/ Resolution 34/180, annex.

2/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

Welcoming the Programme of Action of the International Conference on Population and Development 3/ held at Cairo from 5 to 13 September 1994, which called upon all countries to take full measures to eliminate all forms of exploitation, abuse and harassment, and all violence against women,

Welcoming also the Copenhagen Declaration and Programme of Action of the World Summit on Social Development, 4/ which was held at Copenhagen from 6 to 12 March 1995, which declared that countries should take concrete and effective measures against the exploitation of migrant workers,

Welcoming further the adoption by the General Assembly at its forty-eighth session of the Declaration on the Elimination of Violence Against Women, 5/

Recalling General Assembly resolutions 47/96 of 16 December 1992, 48/110 of 20 December 1993, and 49/165 of 23 December 1994, as well as Commission on the Status of Women resolution 38/7 of 18 March 1994, on violence against women migrant workers,

Noting the large numbers of women from developing countries and from some economies in transition who continue to venture forth to more affluent countries in search of a living for themselves and their families, as a consequence of poverty, unemployment and other socio-economic conditions, which can be attributed partially to the negative impact of structural adjustment programmes and the burden of debt-servicing, or are due to situations of armed conflict in their home countries, while acknowledging the primary duty of States to work for conditions that provide employment and security to their citizens,

Recognizing that it is the duty of sending countries to protect and promote the interests of their citizens who seek or receive employment in other countries, to provide them with appropriate training/education, and to apprise them of their rights and obligations in the countries of employment,

Aware of the moral obligation of receiving or host countries to ensure the human rights and fundamental freedoms of all persons within their boundaries, including migrant workers and in particular women migrant workers, who are doubly vulnerable because of their gender and their being foreigners,

Aware that documented and undocumented migrant women whose citizenship status is dependent on their spouses are at increased risk for gender-based violence,

Noting the measures adopted by some receiving States to alleviate the plight of women migrant workers residing within their areas of jurisdiction,

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3/ A/CONF.171/13, chap. I.

4/ See A/CONF.166/L.3/Add.1-7 and corrigenda.

5/ Resolution 48/104, annex.

Noting with concern, however, the continuing reports of grave abuses and acts of violence committed against women migrant workers by some of their employers in some host countries,

Stressing that acts of violence directed against women impair or nullify women's enjoyment of their human rights and fundamental freedoms,

Convinced of the need to eliminate all forms of discrimination against women and the need to protect them from gender-based violence,

1. Calls upon States Members of the United Nations to adopt measures for the effective implementation of the Declaration on the Elimination of Violence Against Women, including applying them to migrant women workers;

2. Invites States concerned, specifically the sending and receiving States of women migrant workers, to conduct regular consultations for the purpose of identifying problem areas in promoting and protecting the rights of migrant women workers and ensuring health, legal and social services for them, adopting specific measures to address these problems, setting up, as necessary, linguistically and culturally accessible services and mechanisms to implement those measures, and, in general, creating conditions that foster greater harmony and tolerance between women migrant workers and the rest of the society in which they reside;

3. Urges member States of the United Nations, particularly those countries from which women migrant workers originate and those that play host to them, to ensure the protection of the rights and fundamental freedoms of women migrant workers as defined by international conventions and agreements, especially those under the aegis of the International Labour Organization and, as necessary, to adopt legal measures in line with such conventions and agreements;

4. Encourages member States to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and the Members of Their Families; 6/

5. Urges member States to adopt and implement measures to eradicate all forms of racism and xenophobia, and promote education on human rights understanding and acceptance of cultural diversity;

6. Calls upon States to adopt measures to prevent the victimization of women migrant workers by sexual traffickers and to penalize those traffickers, including ratifying the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others; 7/

7. Invites relevant United Nations functional bodies and specialized agencies, in particular the International Labour Organization, intergovernmental

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6/ Resolution 45/158, annex.

7/ Resolution 317 (IV), annex.

organizations and non-governmental organizations, to monitor the situation of women migrant workers and to submit reports thereon through normal channels;

8. Recommends that the Committee on the Elimination of All Forms of Discrimination Against Women, in its consideration of States Parties' reports, inquire into the status of migrant women workers and propose measures for their protection;

9. Recommends to the Centre for Human Rights of the United Nations Secretariat that it include the promotion and protection of the human rights of women migrant workers in its programme of work relative to its advisory training and information services, and submit to the General Assembly, through the Commission on Human Rights and the Economic and Social Council, its reports thereon;

10. Recommends to the Commission on Human Rights that it make the rights of women migrant workers one of its priority concerns;

11. Invites the Special Rapporteur of the Commission on Human Rights on Violence against Women to continue to include among the urgent issues pertaining to her mandate the violence perpetrated against women migrant workers;

12. Reiterates the recommendation of the General Assembly, contained in its resolution 48/110 of 20 December 1993, that the Fourth World Conference on Women, which is to be held at Beijing in September 1995, address the issue of violence against women migrant workers;

13. Supports the decision of the General Assembly, in its resolution 49/127 of 19 December 1994, to consider the need for a United Nations conference on international migration and development;

14. Requests the Secretary-General to ensure the development of concrete indicators as a basis for future action to determine the situation of women migrant workers in sending and receiving countries;

15. Requests the Secretary-General to establish an expert group to submit recommendations for improving coordination of the various efforts of the United Nations on behalf of migrant workers, for submission to the General Assembly at its fiftieth session;

16. Requests the Secretary-General to submit to the Commission at its fortieth session a copy of his report to the General Assembly on violence against women migrant workers, which should include the reports to be submitted by the Special Rapporteur on Violence against Women, the Centre for Human Rights, relevant United Nations functional bodies and special agencies, intergovernmental organizations and non-governmental organizations.